

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re:
City of Detroit, Michigan,
Debtor.

Chapter 9
Case No. 13-53846
Hon. Steven W. Rhodes

Order Denying Motion for Relief from Stay

This matter is before the Court on a “Motion for Relief from Automatic Stay to Permit Enforcement of Judgment Against City of Detroit, and for Ruling that Judgment Based on Claim for Taking of Property Without Just Compensation is Not Subject to Reduction or Compromise in Bankruptcy, as to T&T Management, Inc., Successor to Merkur Steel Supply, Inc.” (Dkt. #2669) The City filed an objection and brief in opposition to the motion. (Dkt. #2734) The Court concludes that oral argument is not necessary to resolve the motion.

The Court concludes the motion should be denied for lack of cause shown. *See* 11 U.S.C. § 362(d)(1). The motion is denied without prejudice to T&T Management, Inc.’s right to object to the treatment of its claim in the City’s proposed plan of adjustment.

The Court notes that the City contends the movant has not filed a proof of claim and therefore is barred from recovery in this case. However, this motion is not the proper procedural context to consider that issue. Accordingly, the denial of this motion is without prejudice to the parties’ rights to assert their respective positions on this issue in an appropriate procedural context.

Not for Publication

Signed on February 25, 2014

/s/ Steven Rhodes

Steven Rhodes
United States Bankruptcy Judge